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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,769	03/20/2002	Erich Kamperschroer	112740-552	2283
29177	7590	07/30/2004	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			DAO, MINH D	
			ART UNIT	PAPER NUMBER
			2682	6

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,769

Applicant(s)

KAMPERSCHROER, ERICH

Examiner

MINH D DAO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 2 recites the limitation "the local area network" in line 9 of page 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 6,184,787) in view of Rao et al. (US 6,169,789).

Regarding claim 2, Morris teaches a method for conversion of a voice output of status messages from at least one appliance (col. 1, lines 36-47, in this case, the garage door monitoring system that includes sensors for sensing the carbon monoxide level, the temperature and the position of the garage door, reads on the appliance of the claim)

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which is contained in the local area network (see fig. 1) and is connected to a telecommunications terminal (see fig. 1, items 18(Microcontroller), 20(Voice Synthesizer), 22(Voice Synthesizer)), the method comprising the steps of: storing first, second and third spoken phrases, which can be predetermined, for the at least one appliance; transmitting a status of the at least one appliance to the telecommunications terminal as a data word (col. 2, lines 62-67, in this case, the instruction sent by the controller 18 to the voice synthesizer reads on the data word of the claim); allocating the first, second and third spoken phrases as an output phrase to statuses of the at least one appliance; such that the first spoken phrase is selected as the output phrase for a first status which is identified by a first value of the data word, the second spoken phrase is allocated to a output phrase to a second status which is identified by a second value of the data word, and both the third spoken phrase and a value of the data word, which is converted for voice output and differs from the first and second values, are allocated as the output phrase to at least one third status, which is identified by a value of the data word which differs from the first and the second values, when the data word is transmitted; and forming the output phrase such that it can be transmitted to a device for speech synthesis (col. 3, lines 1-4, in this case, data words "smoke detected" or "garage door is closing, please stand clear" or "a high level of carbon monoxide has been detected" read on the three spoken phrases that are synthesized by the voice synthesizer of the claim). However, Morris fails to teach allocating a unique appliance identification to the at least one appliance. Rao, in an analogous art, teaches allocating a unique appliance identification to at least one appliance (col. 3, lines 31-45);

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Rao to Morris so that all the appliances and peripherals in the system will subscribe to the same protocols such that they will be able to communicate with each other and to execute instructions as suggested by Rao.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- a. Arling et al. (US 6,629,077) discloses Universal Remote Control Adapted To Receive Voice Input.
- b. Ueda (US 4,343,990) discloses Heating Apparatus Safety Device Using Voice Synthesizer.
- c. Brenig (US 4,426,733) discloses Voice-Controlled Operator-Interacting Radio Transceiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D DAO whose telephone number is 703-305-5589. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN C CHIN can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao
Art Unit 2682
July 14, 2004 *MD*


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600
7/26/04